



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

August 20, 2019

Andrew Free
MuckRock News
DEPT MR 74989
411A Highland Ave
Somerville, MA 02144-2516

Re: Appeal No. **2019-IGAP-00009**
Request No. **2019-IGFOO-00176**
Appeal Adjudication - Remand Response

Dear Mr. Free:

This is in further response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Office of Inspector General (OIG), dated June 13, 2019, seeking all materials relied upon by DHS-OIG in preparation of Report No. OIG-19-46, including, but not limited to, photographs, interview notes, and electronic or paper communications; All responses from Department of Homeland Security agency components, including, but not limited to, ICE, CBP, and Immigrant Health Services Corps, regarding the recommendations in Report No. OIG-19-46. All follow-up communications from OIG to any DHS agency component or Congressional liaison based on Report No. OIG-19-46. All communications between OIG and subject-matter experts, including, but not limited to, public health officials. (copy enclosed for reference). DHS-OIG responded to your request on June 24, 2019.

In a letter dated July 16, 2019, you appealed our final response and questioned the adequacy of our search. I determined that all of the responsive records were located through the search; however, the final response letter as issued was inaccurate in communicating the status of those records. Additionally, I have determined that certain records may have been improperly withheld. Therefore, in response to your appeal, I have remanded your FOIA request for additional processing.

If you are dissatisfied with my action on this remanded FOIA request, you may seek judicial review in accordance with the FOIA, 5 U.S.C. § 552(a)(4)(B).

Assistance and Dispute Resolution Services

Should you need assistance with your request, you may contact DHS-OIG's FOIA Public Liaison. You may also seek dispute resolution services from our FOIA Public Liaison. You may contact DHS-OIG's FOIA Public Liaison in any of the following ways:

FOIA Public Liaison
DHS-OIG Counsel
STOP 0305
245 Murray Lane, SW
Washington, DC 20528-0305
Phone: 202-254-4001
Fax: 202-254-4398
E-mail: foia.oig@oig.dhs.gov

Additionally, the 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Sincerely,

Jillian M. Clouse

Assistant Counsel
Information Law & Disclosure

Enclosure(s): FOIA Request; Appeal Letter

From: 74989-66741378@requests.muckrock.com
To: [FOIA.OIG](#)
Subject: Freedom of Information Act Request: DHS-OIG Report OIG-19-46 - Underlying Investigation Documents & Management Response
Date: Wednesday, June 12, 2019 9:19:01 PM

Department of Homeland Security Office of Inspector General
FOIA Office
Mail Stop - 0305
245 Murray Lane SW
Washington, DC 20528-0305

June 12, 2019

To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

1. All materials relied upon by DHS-OIG in preparation of Report No. OIG-19-46, including, but not limited to, photographs, interview notes, and electronic or paper communications;
2. All responses from Department of Homeland Security agency components, including, but not limited to, ICE, CBP, and Immigrant Health Services Corps, regarding the recommendations in Report No. OIG-19-46.
3. All follow-up communications from OIG to any DHS agency component or Congressional liaison based on Report No. OIG-19-46.
4. All communications between OIG and subject-matter experts, including, but not limited to, public health officials.

Because the life and safety of migrants, including children, is at imminent risk as a result of the conditions documented in Report No. OIG-19-46, I hereby respectfully request Expedited Processing of this request.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Andrew Free

Filed via MuckRock.com
E-mail (Preferred): 74989-66741378@requests.muckrock.com
Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAgebJAxsZiW371aNOIP0BM%3A1h8EN5%3AUZASSETMADhCuhZ_DP8WfrixdotU&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fdepartment-of-homeland-security-office-of-inspector-general-236%252Fthis-report-oig-19-46-underlying-investigation-documents-management-response-74989%252F%253Femail%253DFOIA.OIG%252540oig.dhs.gov
Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 74989
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



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FOIA APPEAL

FOIA/ PA Appeals Unit
DHS-OIG Office of Counsel
Stop 0305
245 Murray Lane, SW
Washington, D.C. 20528-0305

July 16, 2019

----- This is a follow up to a previous request: -----

I hereby appeal the agency's release of responsive records. It appears the agency conducted an inadequate search for responsive records, as multiple documents referenced in the substantive portions of the release are responsive to the request, but have not been produced. Moreover, the redactions applied, including fully withheld pages that have not been properly screened for segregability, fall short of the requirements of the Act.

I request expedited processing of this appeal, given the significant public interest in this report, and the immediate danger to the health and safety of migrants imprisoned in the station and within the jurisdiction of actors described in this report, especially given their public, televised denials of findings the OIG detailed with which the agency previously concurred.

Filed via MuckRock.com
E-mail (Preferred): 74989-66741378@requests.muckrock.com

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On June 28, 2019:
Subject: Final OIG-FOIA Response 2019-IGFO-00176
Good morning Mr. Free,

Attached you will find OIG-FOIA final response letter to your request.
Thanks,

MuckRock News
DEPT MR 74989
411A Highland Ave
Somerville, MA 02144-2516
74989-66741378@requests.muckrock.com

OIG-FOIA

On June 28, 2019:
Subject: Acknowledgement Letter 2019-IGFO-00176
Good morning Mr. Free,

Attached you will find our Acknowledgement Letter to your request.
Thanks,

OIG-FOIA

On June 7, 2019:
Subject: Freedom of Information Act Request: DHS-OIG Report OIG-19-46 - Underlying Investigation Documents & Management Response
To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

1. All materials relied upon by DHS-OIG in preparation of Report No. OIG-19-46, including, but not limited to, photographs, interview notes, and electronic or paper communications;
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Sincerely,

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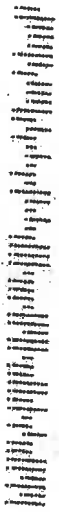
Andrew Free

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Somerville, MA 02144



FOIA APPEAL

FOIA / PA Appeals Unit
DHS-0161 Office of Counsel
Stop 0305
245 Murray Ln SW
Washington DC 20528



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